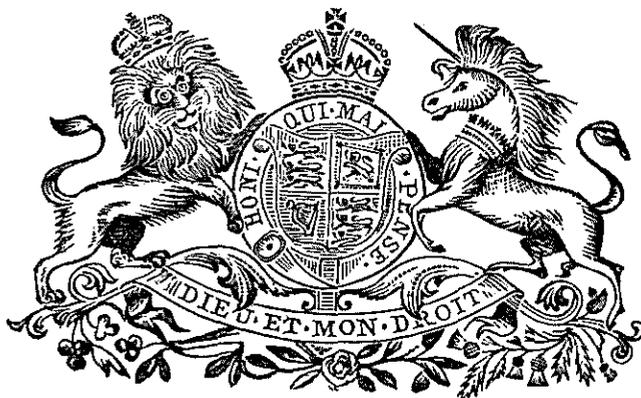


WESTERN AUSTRALIA.



ANNO QUINTO

GEORGII QUINTI REGIS,

XXVI.

No. 26 of 1914.

AN ACT to authorise the Postponement by
Proclamation of the Payment of Debts.

[Assented to 22nd September, 1914.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Postponement of Debts Act*, Short title.
1914.

2. (1.) The Governor may, on the advice of a Royal Commission, from time to time by Proclamation declare that payment of all debts then due, or accruing within the period mentioned in such Proclamation, of the classes specified in the Proclamation, or a specified proportion of any such debts, may, subject to such conditions and exceptions as may be contained in such Proclamation, be postponed to a date or for a period to be therein specified: Provided that where interest was chargeable in respect of any such debt, such interest shall continue to run and be so chargeable, but shall not be payable during such postponement. Power to postpone payment.

(2.) Any such Proclamation shall have the force of law.

Provision in case
of hardship.

3. (1.) Notwithstanding anything contained in this Act, the Court shall have power, with respect to any mortgage or agreement, or any arrangement between creditor and debtor, to order that this Act shall not apply thereto if it is of opinion that, in the special circumstances of the case, the postponement effected by this Act is not necessary in the interests of the mortgagor or purchaser or debtor, or would cause great hardship or loss to the mortgagee or vendor or creditor (as the case may be), or to any person towards whom, with respect to such mortgage, agreement or arrangement, he stands in the position of trustee.

(2.) The order of the Court determining any such application shall be final.

Interpretation of
"Court."

4. The "Court" shall mean the Local Court nearest to the place of business or residence of the mortgagee, vendor or creditor, as the case may be, or if the amount involved shall exceed the jurisdiction of a Local Court then the "Court" shall mean the Supreme Court of the State.

Regulations.

5. The Governor may make regulations for the conduct of applications to the Court, and generally for carrying out the purpose of this Act, and such regulations may provide that the Court may in its discretion direct that no legal practitioner shall appear or be heard on behalf of any party before the Court, and that no Court fees shall be payable, and that the proceedings unless otherwise ordered by the Court shall be in Chambers.

Duration of Act.

6. This Act shall continue in force until the thirtieth day of June, one thousand nine hundred and fifteen, but it shall be lawful for the Governor, by Proclamation published in the *Government Gazette*, at any time prior to that date, to determine the operation of the Act.